IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2383 OF 2006

WITH

WRIT PETITION NOS. 2385 & 2388 OF 2006

Rakesh Gangadhar Thorat .... Petitioner

versus

The Sub Divisional Officer
Pune Division, Pune & ors. ... Respondents.

Shri C.G. Gavnekar with G.Hiranandani for the petitioner.
Shri P.P.Kakade AGP for Respdts. 1 to 3.

CORAM; V.G. PALSHIKAR &
V.M. KANADE, JJ.

DATED; 6TH JUNE, 2006.

P.C:

1. By these petitions the petitioners have challenged the order passed by the Caste Scrutiny Committee holding that the petitioners belong to other backward class and not Nomadic Tribe of Lohar. During the pendency of this petition the Government of Maharashtra has issued a Resolution on 1st March 2006 specifically including Gadi Lohar, a tribe or sub-tribe in the entry of Lohar, which is a Nomadic Tribe already accepted. In view of the subsequent notification it would be necessary that the claim of the petitioners of

belonging to Nomadic Tribe of Lohar is again scrutinised by the Caste Scrutiny Committee and if it so finds, issue necessary certificate. In the result, therefore, the petitions succeed and are allowed. The impugned order is set aside and matters are remitted back to the relevant Caste Scrutiny Committee for verification of the caste claim made by the petitioner in the light of the observations made herein and the Government Resolution, dated 1st March 2006. The Caste Scrutiny Committee should complete the verification process as early as possible preferably in three months. Petitions accordingly disposed of.

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